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486313

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

SEP 23 1988

JUDGE G. M. MAROVICH
United States District Court J-11-1

UNITED STATES OF AMERICA,

Plaintiff,

v.

CONTINENTAL CHEMISTE CORPORATION
and KENNETH KASS,

Defendants.

No. 87 C 10214

Judge George M. Marovich

DOCKET

SEP 23 1988

MOTION OF THE UNITED STATES TO
REINSTATE CASE AND LODGE CONSENT DECREE

Now comes the United States of America, by its attorney, ANTON R. VALUKAS, United States Attorney for the Northern District of Illinois, and moves this Honorable Court to reinstate the captioned case and for leave to lodge the Consent Decree pursuant to 28 C.F.R. §50.7. In support thereof the United States submits:

1. This case is an action under Section 16 of the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136, et seq., brought by the United States on November 30, 1987.

2. After extensive negotiations, the United States and the defendants agreed to enter into a consent decree resolving the outstanding issues.

3. Due to the period of time required to obtain approval of the terms and conditions of the Consent Decree, this Court on May 24, 1988 dismissed the case with leave to reinstate upon completion of the approval process.

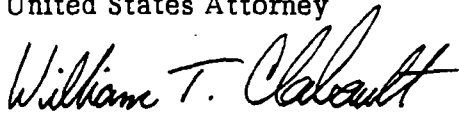
4. That process has now been completed and the executed Consent Decree is now ripe for lodging with the Court pursuant to 28 C.F.R. §50.7, in order to commence the period of time for publication and public notice required before the Court can enter the Consent Decree.

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5. Defendants join the United States in moving this Court to reinstate the case and accept the lodging of the Consent Decree.

Respectfully submitted,

ANTON R. VALUKAS
United States Attorney

By: 
WILLIAM T. CLABAULT
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
312/353-5342

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

SEP 22 1988

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CONTINENTAL CHEMISTE CORPORATION)
and KENNETH KASS,)
)
Defendants.)

No. 87 C 10214
Judge George M. Marovich

NOTICE OF MOTION

DOCKETED

SEP 23 1988

TO: James J. DeNapoli
GARDNER, CARTON & DOUGLAS
321 North Clark Street
Chicago, Illinois 60610

PLEASE TAKE NOTICE that on Thursday, September 22, 1988, at 9:30 a.m.,
or as soon thereafter as counsel may be heard, I will appear before Judge Marovich
in the courtroom usually occupied by him in the Everett McKinley Dirksen Building,
219 South Dearborn Street, Chicago, Illinois, or before such other judge who may
be sitting in his place and stead, and then and there present

MOTION OF THE UNITED STATES TO REINSTATE CASE AND
LODGE CONSENT DECREE

at which time and place you may appear if you see fit.

ANTON R. VALUKAS
United States Attorney

By: *William T. Clabault*
WILLIAM T. CLABAULT
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
312/353-5342

AFFIDAVIT OF HAND DELIVERY

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

JANET L. EISENMANN, being first duly sworn on oath deposes and says that she is employed in the Office of the United States Attorney for the Northern District of Illinois; that on the 19th day of September, 1988, she caused a copy of

NOTICE OF MOTION

MOTION OF THE UNITED STATES TO REINSTATE CASE AND
LODGE CONSENT DECREE

to be hand delivered to the following named individual(s) on said date at about the hour of 3:30 p.m.

James J. DeNapoli
GARDNER, CARTON & DOUGLAS
321 North Clark Street
Chicago, Illinois 60610

Janet L. Eisenmann
SUBSCRIBED AND SWORN TO before me

this 19th day of September, 1988.

Lenora E. Nape
NOTARY PUBLIC

My Commission Expires:

Nov. 9, 1989

Minute Order Form

(1/85e)

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Case Number	87 C 10214	Date	September 22, 1988 / 9:30 a.m.
Name of Assigned Judge	George M. Marovich	Sitting Judge if Other Than Assigned Judge	
Case Title	UNITED STATES v. CONTINENTAL CHEMISTE CORP. and KENNETH KASS		

MOTION: (In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3d-party plaintiff, and (b) state briefly the nature of the motion being presented.)

Attorneys for Plaintiff: ANTON R. VALUKAS, United States Attorney

Attn: WILLIAM T. CLABAULT, Assistant United States Attorney (312/353-5342)

Title of Motion: MOTION TO REINSTATE CASE AND LODGE CONSENT DECREE

DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

(1)	<input type="checkbox"/>	Judgment is entered as follows:	(2)	<input checked="" type="checkbox"/>	[Other docket entry:]
Motion of the United States to reinstate case and lodge consent decree is granted.					
(3)	<input checked="" type="checkbox"/>	Filed motion of [use listing in "MOTION" box above].			
(4)	<input type="checkbox"/>	Brief in support of motion due _____			
(5)	<input type="checkbox"/>	Answer brief to motion due _____ Reply to answer brief due _____			
(6)	<input type="checkbox"/>	Hearing on _____ set for _____ at _____			
(6)	<input type="checkbox"/>	Ruling _____			
(7)	<input type="checkbox"/>	Status hearing <input type="checkbox"/> set for <input type="checkbox"/> re-set for <input type="checkbox"/> continued to _____ at _____			
(8)	<input type="checkbox"/>	Pretrial conference <input type="checkbox"/> set for <input type="checkbox"/> re-set for <input type="checkbox"/> continued to _____ at _____			
(9)	<input type="checkbox"/>	Trial <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____			
(10)	<input type="checkbox"/>	<input type="checkbox"/> Trial <input type="checkbox"/> Hearing held and continued to _____ at _____			
(11)	<input type="checkbox"/>	This case is dismissed <input type="checkbox"/> without <input type="checkbox"/> with prejudice and without costs <input type="checkbox"/> by agreement <input type="checkbox"/> pursuant to <input type="checkbox"/> FRCP 4(j) (failure to serve) <input type="checkbox"/> General Rule 21 (want of prosecution) <input type="checkbox"/> FRCP 41(a)(1) <input type="checkbox"/> FRCP 41(a)(2)			
(12)	<input type="checkbox"/>	DRAFT. [For further detail see order <input type="checkbox"/> on the reverse of <input type="checkbox"/> attached to the original minute order form.]			

<input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail CIV-31 form.	MG courtroom deputy's initials	SEP 23 1988 SEP 23 1988 SEP 23 1988	number of notices	Document # 16
			date typed envelopes	
			date docketed	
			date mld. notices	
Date/time received in central Clerk's Office		mailing dpty. initials		

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Name of Assigned Judge or Magistrate	George M. Marovich	Sitting Judge/Mag. If Other Than Assigned Judge/Mag.	
Case Number	87 C 10214	Date	May 24, 1988
Case Title	USA vs Continental Chemist Corp.		

MOTION: [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3d-party plaintiff, and (b) state briefly the nature of the motion being presented]
s/h 3pm

Sent for Microfilming	
MAY 25 1988	
Filmed on MAY 25 1988	

DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

(1)	<input checked="" type="checkbox"/> Judgment is entered as follows:	(2)	<input type="checkbox"/> [Other docket entry:]
The court dismisses this case with leave to reinstate within 90 days.			
(3)	Filed motion of [use listing in "MOTION" box above].		
(4)	Brief in support of motion due _____		
(5)	Answer brief to motion due _____ Reply to answer brief due _____		
(6)	<input type="checkbox"/> Hearing on _____ set for _____ at _____		
(7)	<input type="checkbox"/> Ruling _____		
(8)	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____		
(9)	Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____		
(10)	Trial <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____		
(11)	<input type="checkbox"/> Bench trial <input type="checkbox"/> Jury trial <input type="checkbox"/> Hearing held and continued to _____ at _____		
(12)	This case is dismissed <input type="checkbox"/> without <input type="checkbox"/> with prejudice and without costs <input type="checkbox"/> by agreement <input type="checkbox"/> pursuant to <input type="checkbox"/> FRCP 4(j) (failure to serve) <input type="checkbox"/> General Rule 21 (want of prosecution) <input type="checkbox"/> FRCP 41(a) (1) <input type="checkbox"/> FRCP 41(a)(2)		
(12)	(For further detail see <input type="checkbox"/> order on the reverse of <input type="checkbox"/> order attached to the original minute order form.)		
No notices required. Notices mailed by judge's staff. Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. Mail AO 450 form. Copy to judge/magistrate.		ED-1 RECEIVED FOR DOCKETING 88 MAY 24 PM 6:43 MAY 25 1988 MF MF	
courtroom deputy's initials MG		number of notices date docketed docketing dpty. initials date mld. notices mailing dpty. initials	
		Document # 15	

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CONTINENTAL CHEMISTE
CORPORATION and KENNETH
KASS,

Defendants.

Civil No. 87 C 10214

Hon. Brian B. Duff

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on Thursday, April 28, 1988, we
filed the attached Notice of Substitution of Counsel with the
Clerk of the U.S. District Court for the Northern District of
Illinois, Eastern Division, a copy of which is herewith served
upon you.

Respectfully submitted,

By: James J. DiNapoli
GARDNER, CARTON & DOUGLAS
321 North Clark Street
Chicago, IL 60610
(312) 644-3000

FILED
APR 29 1988

FILED
APR 29 1988
U.S. DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
CHICAGO, ILLINOIS

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UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Name of Assigned Judge or Magistrate	BRIAN BARNETT DUFF	Sitting Judge/ Mag. If Other Than Assigned Judge/ Mag.	
Case Number	87 C 10214	Date	February 5, 1988
Case Title	USA v. Continental Chemiste		

MOTION: [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3d-party plaintiff, and (b) state briefly the nature of the motion being presented]

DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

(1) <input type="checkbox"/>	Judgment is entered as follows:	(2) <input checked="" type="checkbox"/>	[Other docket entry:]
STATUS HEARING SET FOR MARCH 8, 1988 at 9:30 A.M. COUNSEL FOR PLAINTIFF			
IS DIRECTED TO NOTIFY ALL OTHER COUNSEL OF THE STATUS.			
(3) <input type="checkbox"/>	Filed motion of [use listing in "MOTION" box above].		
(4) <input type="checkbox"/>	Brief in support of motion due _____.		
(5) <input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.		
(6) <input type="checkbox"/>	<input type="checkbox"/> Hearing <input type="checkbox"/> Ruling on _____ set for _____ at _____.		
(7) <input type="checkbox"/>	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____.		
(8) <input type="checkbox"/>	Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____.		
(9) <input type="checkbox"/>	Trial <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____.		
(10) <input type="checkbox"/>	<input type="checkbox"/> Bench trial <input type="checkbox"/> Jury trial <input type="checkbox"/> Hearing held and continued to _____ at _____.		
(11) <input type="checkbox"/>	This case is dismissed <input type="checkbox"/> without <input type="checkbox"/> with prejudice and without costs <input type="checkbox"/> by agreement <input type="checkbox"/> pursuant to <input type="checkbox"/> FRCP 4(j) (failure to serve) <input type="checkbox"/> General Rule 21 (want of prosecution) <input type="checkbox"/> FRCP 41(a)(1) <input type="checkbox"/> FRCP 41(a)(2)		
(12) <input type="checkbox"/>	(For further detail see <input type="checkbox"/> order on the reverse of <input type="checkbox"/> order attached to the original minute order form.)		
<input type="checkbox"/>	No notices required.	<div style="text-align: center;"> FEB -4 P 3:27 2005 FEB 04 1988 TM FEB 06 1988 BOM </div>	number of notices
<input type="checkbox"/>	Notices mailed by judge's staff.		date docketed
<input checked="" type="checkbox"/>	Notified counsel by telephone.		docketing dpty. initials
<input type="checkbox"/>	Docketing to mail notices.		date mtd. notices
<input type="checkbox"/>	Mail AO 450 form.		mailing dpty. initials
<input type="checkbox"/>	Copy to judge magistrate		
<input type="checkbox"/>	courtroom deputy's initials B	Date/time received in central Clerk's Office	Document # 9

RECEIVED
JAN 12 1988

Plaintiff,

Civil No. 87 C 10214

Hon. Brian B. Duff

U.S. DISTRICT COURT

1988 JAN 11 PM 4: 12

25

To: See Attached Service List

Dated: January 11, 1988.

By: James A. Rinaldi
One of Their Attorneys

8

SERVICE LIST

Kurt Weissmuller
Environmental Enforcement Section
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Region V
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